

REMARKS

In the Claims:

Claims 3-6, 9-12, 15-18, and 21-28 in this application.

Claims 3, 9, 15, and 21 have been amended. Support for the amendments and new claims can be found in the original specification, figures and/or claims. As such no new matter has been added.

Claim Rejections – 35 USC §103:

Claims 3, 5, 6, 15, 17, 18, 25 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Darby et al., U.S. Patent No. 7,215,698 (*Darby*) in view of Friedmann et al., U.S. Pat. No. 5,822,362 (*Friedmann*) and further in view of Haartsen, U.S. Pat. No. 7,215,698 (*Haartsen*). In response, Applicant has amended claims 3 and 15.

Claim 3, as amended, recites A method comprising:

selecting a frequency hopping code (FHC) from a set of predetermined FHC's for communicating with other devices in a multi-band ultra-wideband (MB-UWB) network, wherein the FHC defines a sequence of two or more pulses over two or more frequencies and wherein the FHC's include a time slot that contains no transmission.

Applicant respectfully believes that *Darby*, *Friedmann* and *Haartsen* do not teach or suggest wherein the FHC's include a time slot that contains no transmission.

Therefore, since the *Darby*, *Friedmann* and *Haartsen* combination of references fails to teach or suggest each element of claim 3, claim 3 is not rendered obvious by the *Darby*, *Friedmann* and *Haartsen* combination. Accordingly, Applicant respectfully requests the §103 rejection of claim 3 be withdrawn.

Applicant notes that independent claim 15 includes the claim elements of claim 3 and is similarly patentable over the *Darby*, *Friedmann* and *Haartsen* combination of references for reasons presented above in regards to claim 3. Accordingly, Applicant respectfully requests the §103 rejections of claim 15 be withdrawn.

Applicant notes claims 4-6, 16-18, 25 and 27 depend from patentable independent claims 3 or 15, and are similarly not rendered obvious by the *Darby*, *Friedmann* and *Haartsen* combination, based at least upon their dependency. Accordingly, Applicant respectfully requests that the §103 rejection of claims 4-6, 16-18, 25 and 27 be withdrawn.

Claims 9-12, 21-24, 26 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over McCorkle, U.S. Patent No. 7,177,341 (*McCorkle*) in view of *Friedmann* and further in view of *Haartsen*. In response, Applicant has amended claims 9 and 21.

Claim 9, as amended, includes:

a hopping code engine to select a frequency hopping code (FHC) from a set of predetermined FHC's for communicating with other devices in a multi-band ultra-wideband (MB-UWB) network, wherein the FHC defines a sequence of two or more pulses over two or more frequencies and wherein the FHC's include a time slot that contains no transmission.

Applicant respectfully believes that *McCorkle*, *Friedmann* and *Haartsen* do not teach or suggest wherein the FHC's include a time slot that contains no transmission. Therefore, since the *McCorkle*, *Friedmann* and *Haartsen* combination of references fails to teach or suggest each element of claim 9, claim 9 is not rendered obvious by the

McCorkle, Friedmann and Haartsen combination. Accordingly, Applicant respectfully requests the §103 rejection of claim 9 be withdrawn.

Applicant notes that independent claim 21 includes the claim elements of claim 9 and is similarly patentable over the *McCorkle, Friedmann and Haartsen* combination of references for reasons presented above in regards to claim 9. Accordingly, Applicant respectfully requests the §103 rejections of claim 21 be withdrawn.

Applicant notes claims 10-12, 22-24, 26 and 28 depend from patentable independent claims 9 or 21, and are similarly not rendered obvious by the *Darby, Friedmann and Haartsen* combination, based at least upon their dependency. Accordingly, Applicant respectfully requests that the §103 rejection of claims 10-12, 22-24, 26 and 28 be withdrawn.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that claims 3-6, 9-12, 15-18, and 21-28 are in condition for allowance and such action is earnestly solicited. The Examiner is invited to call Dave Guglielmi at (503) 712-1610 if there remains any issue with allowance of this case.

Respectfully submitted,

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